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S.D. OF N.Y.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Andre Green

Write the full name of each plaintiff.

17 CV 8045

(Include case number if one has been assigned)

-against-

United Staffing Solutions

preffered Meals

Write the full name of each defendant. If you need more space, please write "see attached" in the space above and attach an additional sheet of paper with the full list of names. The names listed above must be identical to those contained in Section II.

COMPLAINT

Do you want a jury trial?
☑ Yes ☐ No

NOTICE

The public can access electronic court files. For privacy and security reasons, papers filed with the court should therefore *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number. See Federal Rule of Civil Procedure 5.2.

I. BASIS FOR JURISDICTION

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation, and the amount in controversy is more than $75,000, is a diversity case. In a diversity case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal-court jurisdiction in your case?

☒ Federal Question

☐ Diversity of Citizenship

A. If you checked Federal Question

Which of your federal constitutional or federal statutory rights have been violated?

United States labor law

B. If you checked Diversity of Citizenship

1. Citizenship of the parties

Of what State is each party a citizen?

The plaintiff, Andre Green, is a citizen of the State of
(Plaintiff's name)

____
(State in which the person resides and intends to remain.)

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

______________________________.

If more than one plaintiff is named in the complaint, attach additional pages providing information for each additional plaintiff.

If the defendant is an individual:

The defendant, ______________________________, is a citizen of the State of
(Defendant's name)

____

or, if not lawfully admitted for permanent residence in the United States, a citizen or subject of the foreign state of

____.

If the defendant is a corporation:

The defendant, United Staffing Solutions is incorporated under the laws of

the State of ______________________________

and has its principal place of business in the State of New York

or is incorporated under the laws of (foreign state) ______________________

and has its principal place of business in ______________________________.

If more than one defendant is named in the complaint, attach additional pages providing information for each additional defendant.

II. PARTIES

A. Plaintiff Information

Provide the following information for each plaintiff named in the complaint. Attach additional pages if needed.

Andre Green
First Name Middle Initial Last Name

316 W. 94th Street, Apt 4RC
Street Address

New York NY 10025
County, City State Zip Code

(646)418 8800 Andregoo63 gmail.com
Telephone Number Email Address (if available)

B. Defendant Information

To the best of your ability, provide addresses where each defendant may be served. If the correct information is not provided, it could delay or prevent service of the complaint on the defendant. Make sure that the defendants listed below are the same as those listed in the caption. Attach additional pages if needed.

Defendant 1: United Staffing Solutions
First Name Last Name

Current Job Title (or other identifying information)

111 Broad Way, 3rd FL
Current Work Address (or other address where defendant may be served)

NY NY 10007
County, City State Zip Code

Defendant 2: Preferred Meals
First Name Last Name

Current Job Title (or other identifying information)

2016 Pitkin Ave
Current Work Address (or other address where defendant may be served)

Brooklyn, NY 11212
County, City State Zip Code

Defendant 3:
First Name Last Name

Current Job Title (or other identifying information)

Current Work Address (or other address where defendant may be served)

County, City State Zip Code

Defendant 4: ____
First Name Last Name

____
Current Job Title (or other identifying information)

____
Current Work Address (or other address where defendant may be served)

____
County, City State Zip Code

III. STATEMENT OF CLAIM

Place(s) of occurrence: 2016 Pitkin Ave. Brooklyn.

Date(s) of occurrence: Feb. 13, 2017

FACTS:

State here briefly the FACTS that support your case. Describe what happened, how you were harmed, and what each defendant personally did or failed to do that harmed you. Attach additional pages if needed. On Feb. 9, 2017, I was contacted by phone from a Mr. Taylor at United Staffing Solutions asking me was I still interested in a driving position in the Bronx and I said yes! and was given an interview on Feb. 10, 2017. Mr. Taylor informed me that he was sending me to a produce company in the Bronx.

On Feb. 16th, 2017, Mr. Taylor, called me and asked me did I want to work 1 day for a company Preferred Meals at 2016 Pitkin Ave. On Monday Feb. 13th, 2017, I reported to 2016 Pitkin Ave, and approached the office and spoke to a Mr. Libri and informed him I was from United Staffing Solutions and was reporting as a driver. Mr. Libri, informed me that he was sending me out as a laborer. I informed Mr. Libri, that I could not be a laborer because I cannot lift or bend to well, and that I was sent there as a driver. He informed me that I could leave if I could not work. I left.

- I Contacted United Staffing and informed them. Mr. Taylor, wanted to Speak to Mr. Libni and he refused.
~~Under~~ under labor law if an employer requests a person-employee to Show up for work is entitled to a 4 hour Minimum whether the employee worker or not. I requested my 4 hrs. Minimum for United Staffing Solution Manager Mr. Presti, who out right refused to pay the 4 hr. Minimum

INJURIES:

If you were injured as a result of these actions, describe your injuries and what medical treatment, if any, you required and received. - I loss a weeks worth of work, because I loss faith in the Company, because they did not want to pay me, therefor I did not want to work for a Company who has a problem paying what the labor laws state

IV. RELIEF

State briefly what money damages or other relief you want the court to order.

I would like to hold both Companies responsible for not paying me.
I sue both Companies for $10,000 Compensatory damages and $10,000 punitive damages and $10.000 for emotional and mental anguish.

V. PLAINTIFF'S CERTIFICATION AND WARNINGS

By signing below, I certify to the best of my knowledge, information, and belief that: (1) the complaint is not being presented for an improper purpose (such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation); (2) the claims are supported by existing law or by a nonfrivolous argument to change existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Federal Rule of Civil Procedure 11.

I agree to notify the Clerk's Office in writing of any changes to my mailing address. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Each Plaintiff must sign and date the complaint. Attach additional pages if necessary. If seeking to proceed without prepayment of fees, each plaintiff must also submit an IFP application.

10/18/17

Dated

[signature]

Plaintiff's Signature

Andre

First Name

Middle Initial

Green

Last Name

316 W. 97th St, Apt 47C

Street Address

NY

County, City

NY

State

10025

Zip Code

(646) 418-8800

Telephone Number

Andrego663.gmail.com

Email Address (if available)

I have read the Pro Se (Nonprisoner) Consent to Receive Documents Electronically:

☐ Yes ☐ No

If you do consent to receive documents electronically, submit the completed form with your complaint. If you do not consent, please do not attach the form.